

1 XAVIER BECERRA
2 Attorney General of California
3 BRETT J. MORRIS
4 Supervising Deputy Attorney General
5 MATTHEW C. TAYLOR
6 Deputy Attorney General
7 State Bar No. 278245
8 1300 I Street, Suite 125
9 P.O. Box 944255
10 Sacramento, CA 94244-2550
11 Telephone: (916) 210-7865
12 Fax: (916) 322-2368
13 E-mail: Matthew.Taylor@doj.ca.gov
14 *Attorneys for the People of the State of California*

ENDORSED
FILED
ALAMEDA COUNTY

MAR 03 2020

CLERK OF THE SUPERIOR COURT
By Debbie Higuera
Deputy

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF ALAMEDA

13 THE PEOPLE OF THE STATE OF
14 CALIFORNIA,

15 Plaintiff,

16 v.

17 ERIC DAT NGUYEN (DOB 1/81/1982),
18 KHAN KIM TRAN (DOB 8/19/1987),

19 Defendants

Case No. 20-CR-003669 A/B
FELONY COMPLAINT

22 The undersigned is informed and believes that:

23 INTRODUCTION

24 At all times relative to this Complaint:

25 That Parkwest Casino 580 is a California Card Room in Livermore, California licensed by
26 the California DOJ Bureau of Gambling Control (BGC).

27 That Knighted Ventures LLC (KV) is a Third Party Provider of Proposition Player Services
28 (TPPPPS). KV assists in facilitating the play of games at Parkwest Casino 580 by occupying the

1 player-dealer position when it is offered to them. KV pays out and/or collects the wager(s) in the
2 game when it occupies the player-dealer position.

3 EZ Baccarat Panda 8 is a table card game facilitated by Parkwest Casino 580 and KV.

4 Defendant **ERIC DAT NGUYEN** was a professional gambler and former employee of
5 Parkwest Casino 580. He was a card dealer at Parkwest Casino 580 from January 19, 2012 to
6 February 17, 2015. He was in a marriage, cohabitating, and co-parenting relationship with
7 Defendant **KHAN TIM TRAN**.

8 Defendant **KHAN TIM TRAN** was employed as a card dealer at Parkwest Casino 580
9 during all times relative in this complaint. She was in a marriage, cohabitating, and co-parenting
10 relationship with Defendant **ERIC DAT NGUYEN**.

11 **COUNT ONE**

12 **CONSPIRACY TO COMMIT GRAND THEFT**
13 **(PENAL CODE SECTIONS 182(a)(1) and 487(a))**

14 On or about and between January 7, 2015, through June 12, 2016, the Defendants **ERIC**
15 **DAT NGUYEN** and **KHAN TIM TRAN** did, in the County of Alameda, State of California,
16 commit a FELONY, to wit: CONSPIRACY TO COMMIT A CRIME, a violation of section 182,
17 subdivision (a)(1), of the PENAL CODE of California, in that said Defendants did unlawfully
18 conspire together and with another person and persons whose identity is unknown to commit the
19 crime of Grand Theft of Property, a felony, in violation of section 487, subdivision (a) of the
20 Penal Code; that pursuant to and for the purpose of carrying out the objectives and purpose of the
21 aforesaid conspiracy, the said Defendants committed the following overt act and acts and in the
22 County of Alameda:

23 **Overt Act 1**

24 On or about January 7, 2015, the defendant **KHAN TIM TRAN** sent a textual message to
25 the phone number of defendant **ERIC DAT NGUYEN** with a sequence of card numbers and
26 approximate card positions to cheat at EZ Baccarat Panda 8 and thereby defraud Parkwest Casino
27 580 and KV.

28 **///**

1 **Overt Act 2**

2 On or about January 18, 2015, the defendant **KHAN TIM TRAN** sent a textual message to
3 the phone number of Defendant **ERIC DAT NGUYEN** with a sequence of card numbers and
4 approximate card positions to cheat at EZ Baccarat Panda 8 and thereby defraud Parkwest Casino
5 580 and KV.

6 **Overt Act 3**

7 On or about May 9, 2015, the defendant **KHAN TIM TRAN** sent a textual message to the
8 phone number of Defendant **ERIC DAT NGUYEN** with a sequence of card numbers and
9 approximate card positions to cheat at EZ Baccarat Panda 8 and thereby defraud Parkwest Casino
10 580 and KV.

11 **Overt Act 4**

12 On or about April 27, 2016, the defendant **KHAN TIM TRAN** while a card dealer at
13 Parkwest Casino 580, did communicate a sequence of cards to Defendant **ERIC DAT NGUYEN**
14 thereby allowing him to cheat at EZ Baccarat Panda 8 and thereby defraud Parkwest Casino 580
15 and KV of at least \$950.00.

16 **Overt Act 5**

17 On or about May 19, 2016, the defendant **KHAN TIM TRAN** while a card dealer at
18 Parkwest Casino 580, did communicate a sequence of cards to Defendant **ERIC DAT NGUYEN**
19 thereby allowing him to cheat at EZ Baccarat Panda 8 and thereby defraud Parkwest Casino 580
20 and KV of at least \$950.00.

21 **Overt Act 6**

22 On or about May 20, 2016, the defendant **KHAN TIM TRAN** while a card dealer at
23 Parkwest Casino 580, did communicate a sequence of cards to Defendant **ERIC DAT NGUYEN**
24 thereby allowing him to cheat at EZ Baccarat Panda 8 and thereby defraud Parkwest Casino 580
25 and KV of at least \$950.00.

26 **Overt Act 7**

27 On or about May 21, 2016, the Defendant **KHAN TIM TRAN** while a card dealer at
28 Parkwest Casino 580, did communicate a sequence of cards to defendant **ERIC DAT NGUYEN**

thereby allowing him to cheat at EZ Baccarat Panda 8 and thereby defraud Parkwest Casino 580 and KV of at least \$950.00.

Overt Act 8

On or about June 1, 2016, the defendant KHAN TIM TRAN while a card dealer at Parkwest Casino 580, did communicate a sequence of cards to defendant ERIC DAT NGUYEN thereby allowing him to cheat at EZ Baccarat Panda 8 and thereby defraud Parkwest Casino 580 and KV of at least \$950.00.

Overt Act 9

On or about June 6, 2016, the defendant KHAN TIM TRAN while a card dealer at Parkwest Casino 580, did communicate a sequence of cards to defendant ERIC DAT NGUYEN thereby allowing him to cheat at EZ Baccarat Panda 8 and thereby defraud Parkwest Casino 580 and KV of at least \$950.00.

Overt Act 10

On or about June 10, 2016, the defendant KHAN TIM TRAN while a card dealer at Parkwest Casino 580, did communicate a sequence of cards to defendant ERIC DAT NGUYEN thereby allowing him to cheat at EZ Baccarat Panda 8 and thereby defraud Parkwest Casino 580 and KV of at least \$950.00.

Overt Act 11

On or about June 12, 2016, the defendant KHAN TIM TRAN while a card dealer at Parkwest Casino 580, did communicate a sequence of cards to defendant ERIC DAT NGUYEN thereby allowing him to cheat at EZ Baccarat Panda 8 and thereby defraud Parkwest Casino 580 and KV of at least \$950.00.

COUNT 2

**GRAND THEFT OF PROPERTY
(PENAL CODE SECTION 487(a))**

For a further and separate cause of action, being a different offense from but connected in its commission to the charges set forth in Count One above, on or about April 26, 2016, in the County of Alameda, the crime of GRAND THEFT OF PROPERTY, in violation of

1 Penal Code section 487(a), a Felony was committed by ERIC DAT NGUYEN and KHAN KIM
2 TRAN, who did unlawfully take money and personal property of a value exceeding Nine
3 Hundred Fifty Dollars (\$950), to wit: the property of Knighted Venture, LLC.

4 "NOTICE: Conviction of this offense will require you to provide specimens and samples
5 pursuant to Penal Code section 296. Willful refusal to provide the specimens is a crime."

6 **COUNT 3**

7 **GRAND THEFT OF PROPERTY**
8 **(PENAL CODE SECTION 487(a))**

9 For a further and separate cause of action, being a different offense from but connected in
10 its commission to the charges set forth in Count One above, on or about May 19, 2016, in the
11 County of Alameda, the crime of GRAND THEFT OF PROPERTY, in violation of Penal Code
12 section 487(a), a Felony was committed by ERIC DAT NGUYEN and KHAN KIM TRAN, who
13 did unlawfully take money and personal property of a value exceeding Nine Hundred Fifty
14 Dollars (\$950), to wit: the property of Knighted Venture, LLC.

15 "NOTICE: Conviction of this offense will require you to provide specimens and samples
16 pursuant to Penal Code section 296. Willful refusal to provide the specimens is a crime."

17 **COUNT 4**

18 **CONSPIRACY TO COMMIT GRAND THEFT**
19 **(PENAL CODE SECTION 487(a))**

20 For a further and separate cause of action, being a different offense from but connected in
21 its commission to the charges set forth in Count One above, on or about May 20, 2016, in the
22 County of Alameda, the crime of GRAND THEFT OF PROPERTY, in violation of Penal Code
23 section 487(a), a Felony was committed by ERIC DAT NGUYEN and KHAN KIM TRAN, who
24 did unlawfully take money and personal property of a value exceeding Nine Hundred Fifty
25 Dollars (\$950), to wit: the property of Knighted Venture, LLC.

26 "NOTICE: Conviction of this offense will require you to provide specimens and samples
27 pursuant to Penal Code section 296. Willful refusal to provide the specimens is a crime."

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1 COUNT 5

2 **CONSPIRACY TO COMMIT GRAND THEFT**
3 **(PENAL CODE SECTION 487(a))**

4 For a further and separate cause of action, being a different offense from but connected in
5 its commission to the charges set forth in Count One above, on or about May 21, 2016, in the
6 County of Alameda, the crime of GRAND THEFT OF PROPERTY, in violation of Penal Code
7 section 487(a), a Felony was committed by ERIC DAT NGUYEN and KHAN KIM TRAN, who
8 did unlawfully take money and personal property of a value exceeding Nine Hundred Fifty
9 Dollars (\$950), to wit: the property of Knighted Venture, LLC.

10 "NOTICE: Conviction of this offense will require you to provide specimens and samples
11 pursuant to Penal Code section 296. Willful refusal to provide the specimens is a crime."

12 COUNT 6

13 **CONSPIRACY TO COMMIT GRAND THEFT**
14 **(PENAL CODE SECTION 487(a))**

15 For a further and separate cause of action, being a different offense from but connected in
16 its commission to the charges set forth in Count One above, on or about May 21, 2016, in the
17 County of Alameda, the crime of GRAND THEFT OF PROPERTY, in violation of Penal Code
18 section 487(a), a Felony was committed by ERIC DAT NGUYEN and KHAN KIM TRAN, who
19 did unlawfully take money and personal property of a value exceeding Nine Hundred Fifty
20 Dollars (\$950), to wit: the property of Knighted Venture, LLC.

21 "NOTICE: Conviction of this offense will require you to provide specimens and samples
22 pursuant to Penal Code section 296. Willful refusal to provide the specimens is a crime."

23 COUNT 7

24 **CONSPIRACY TO COMMIT GRAND THEFT**
25 **(PENAL CODE SECTION 487(a))**

26 For a further and separate cause of action, being a different offense from but connected in
27 its commission to the charges set forth in Count One above, on or about June 1, 2016, in the
28 County of Alameda, the crime of GRAND THEFT OF PROPERTY, in violation of Penal Code

1 section 487(a), a Felony was committed by ERIC DAT NGUYEN and KHAN KIM TRAN, who
2 did unlawfully take money and personal property of a value exceeding Nine Hundred Fifty
3 Dollars (\$950), to wit: the property of Knighted Venture, LLC.

4 "NOTICE: Conviction of this offense will require you to provide specimens and samples
5 pursuant to Penal Code section 296. Willful refusal to provide the specimens is a crime."

6 **COUNT 8**

7 **CONSPIRACY TO COMMIT GRAND THEFT**
8 **(PENAL CODE SECTION 487(a))**

9 For a further and separate cause of action, being a different offense from but connected in
10 its commission to the charges set forth in Count One above, on or about June 6, 2016, in the
11 County of Alameda, the crime of GRAND THEFT OF PROPERTY, in violation of Penal Code
12 section 487(a), a Felony was committed by ERIC DAT NGUYEN and KHAN KIM TRAN, who
13 did unlawfully take money and personal property of a value exceeding Nine Hundred Fifty
14 Dollars (\$950), to wit: the property of Knighted Venture, LLC.

15 "NOTICE: Conviction of this offense will require you to provide specimens and samples
16 pursuant to Penal Code section 296. Willful refusal to provide the specimens is a crime."

17 **COUNT 9**

18 **CONSPIRACY TO COMMIT GRAND THEFT**
19 **(PENAL CODE SECTION 487(a))**

20 For a further and separate cause of action, being a different offense from but connected in
21 its commission to the charges set forth in Count One above, on or about June 10, 2016, in the
22 County of Alameda, the crime of GRAND THEFT OF PROPERTY, in violation of Penal Code
23 section 487(a), a Felony was committed by ERIC DAT NGUYEN and KHAN KIM TRAN, who
24 did unlawfully take money and personal property of a value exceeding Nine Hundred Fifty
25 Dollars (\$950), to wit: the property of Knighted Venture, LLC.

26 "NOTICE: Conviction of this offense will require you to provide specimens and samples
27 pursuant to Penal Code section 296. Willful refusal to provide the specimens is a crime."

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COUNT 10

**CONSPIRACY TO COMMIT GRAND THEFT
(PENAL CODE SECTION 487(a))**

For a further and separate cause of action, being a different offense from but connected in its commission to the charges set forth in Count One above, on or about June 12, 2016, in the County of Alameda, the crime of GRAND THEFT OF PROPERTY, in violation of Penal Code section 487(a), a Felony was committed by ERIC DAT NGUYEN and KHAN KIM TRAN, who did unlawfully take money and personal property of a value exceeding Nine Hundred Fifty Dollars (\$950), to wit: the property of Knighted Venture, LLC.

“NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens is a crime.”

SPECIAL ALLEGATION

**AGGRAVATED WHITE COLLAR CRIME ENHANCEMENT IN EXCESS OF
\$500,000 (PENAL CODE SECTION 186.11(a)(2))**

As to Counts 1 through 10, it is further alleged that in the commission of the above offenses the said defendants ERIC DAT NGUYEN and KHAN KIM TRAN violated Penal Code 186.11, subdivision (a)(2), in that the offenses set forth in Counts 1 through 10 are related felonies, a material element of which is fraud and embezzlement, which involves a pattern of related felony conduct, and the pattern of related felony conduct involves the taking of more than Five Hundred Thousand Dollars (\$500,000).

NOTICE: A finding of this special allegation excludes defendant from a sentence of imprisonment in the county jail pursuant to Penal Code section 1170, subdivision (h).

TOLLING OF THE STATUTE OF LIMITATIONS

It is further alleged that as offenses described in Penal Code section 801.5, Counts 1 through 10 involve offenses which include a material element of fraud or breach of a fiduciary obligation, and that each of the above violations were not discovered until around April, 2016, at the earliest, by officials at Parkwest Casino 580 when an employee raised the concern of the gambling habits and winning statistics of defendant ERIC DAT NGUYEN. Parkwest Casino 580

1 then conducted a theft investigation. On June 16, 2016, Parkwest Casino 580 reported the crime
2 to the California DOJ Bureau of Gambling Control. Therefore, no law enforcement agency
3 chargeable with the investigation or prosecution of any of the said violations had actual and
4 constructive knowledge of the violation prior to the discovery date, within the meaning of Penal
5 Code section 803, subdivision (c).

6 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
7 AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER _____
8 CONSISTS OF 10 COUNTS AND ONE SPECIAL ALLEGATION.

9 Dated: March 2, 2020

Respectfully Submitted,

XAVIER BECERRA
Attorney General of California



MATTHEW C. TAYLOR
Deputy Attorney General
*Attorneys for the People of the State of
California*

17 AGENCY: CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF GAMBLING
18 CONTROL

19 PRELIM. TIME. EST.: 1 Day

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